

BYLAW NO. 7/2024
A BYLAW OF THE MUNICIPAL DISTRICT OF PEACE NO. 135
IN THE PROVINCE OF ALBERTA
FOR THE PURPOSE OF IMPLEMENTING A TAX INSTALLMENT PAYMENT PLAN.

WHEREAS, section 340 of the MGA allows Council to, by bylaw, permit taxes to be paid by installments, at the option of the taxpayer;

AND WHEREAS, section 553(1) of the MGA allows Council to add amounts owing to the Tax Roll of a parcel of land;

NOW THEREFORE, the Council of the Municipal District of Peace No 135 in the Province of Alberta, duly assembled, enacts as follows:

1. Title

1.1. This Bylaw may be referred to as the "Tax Installment Payment Plan Bylaw".

2. Purpose

2.1. The purpose of this Bylaw is to allow Taxpayers to pay their property taxes in monthly installments rather than a single payment by the due date each year.

3. Definitions

3.1. In this Bylaw:

- (a) "CAO" means the Chief Administrative Officer of the Municipal District of Peace No. 135, or their delegate.
- (b) "Current Taxes" means taxes which are imposed or levied in the current year, including supplementary taxes, local improvement taxes and/or other charges added to the Tax Roll as applicable under section 549 and 553.1 of the Municipal Government Act.
- (c) "Director of Finance" means the Director of Finance for the Municipal District of Peace No. 135
- (d) "EFT Process" means the electronic funds transfer process which will allow money to be electronically transferred from the Taxpayer's bank account to the MD's bank account.
- (e) "In Good Standing" means either a tax roll that with a zero balance, or a tax roll that is currently in compliance with monthly Tax Installment Payments (there have been no failed EFT Transfers for that specific tax roll), depending on the context.
- (f) "MD" means the Municipal District of Peace No. 135.
- (g) "Mortgage Company" means a financial institution that has registered a mortgage on the property.
- (h) "Payment Plan" means the Tax Installment Payment Plan, for the purpose of a tax installment program for Taxpayers.
- (i) "Penalties" means fees charged to Tax Rolls that have a balance outstanding pursuant to the

TAX INSTALLMENT PAYMENT PLAN BYLAW 7/2024

MD's Property Tax Penalty Bylaw.

- (j) "Tax Arrears" means all Taxes that remain unpaid after December 31 of the year in which they are imposed.
- (k) "Tax Roll" means a listing of all municipal properties which can be assessed and include information such as the location and description of the property, name, and mailing address of the taxpayer; the assessment value; tax rate; tax arrears (if any); and any other information considered appropriate by the Municipality.
- (l) "Taxpayer" means a person liable to pay taxes:
 - Who is the owner of a property in the MD; or
 - Who is an individual identified on a Land Titles Certificate.
- (m) "Tax Year" means the annual period over which Current Taxes are calculated, commencing January 1st and ending December 31st of that year.

4. The Payment Plan

- 4.1. Taxpayers may pay Current Taxes in monthly installments, and no Penalties shall be applied to Current Taxes, provided the Taxpayer:
 - (a) Is approved for enrollment in the Payment Plan;
 - (b) Maintains their account in good standing (has no failed EFT transfer attempts).

5. Payment Plan Enrollment & Acceptance

- 5.1. A Taxpayer who wishes to enroll in the Payment Plan must apply to the Director of Finance for approval.
- 5.2. An application for enrollment in the Payment Plan must include:
 - (a) A completed Tax Installment Payment Plan Application form.
 - (b) A completed Pre-Authorized Debit Agreement.
 - (c) A "VOID" cheque or pre-authorized debit form from a financial institution.
- 5.3. To be eligible for acceptance into the Tax Installment Payment Plan the applicants tax account must be In Good Standing.
- 5.4. At the time the Director of Finance notifies the Taxpayer that the application for enrollment in the payment plan has been accepted, he/she shall also advise the Taxpayer as to the initial amount of the monthly installments to be transferred through the EFT Process.
- 5.5. The CAO may refuse application for enrollment in the Payment Plan at his/her discretion and will subsequently inform the applicant of this decision.

6. Payments

- 6.1. Tax Installment Payments are withdrawn from the Taxpayers bank account on the first day of each month, or the next business day if the first day of the month is not a business day.
- 6.1. The Director of Finance shall calculate the payment amount for each approved Payment Plan once the Taxpayer's application is accepted for enrollment into the Payment Plan. The payments shall be

TAX INSTALLMENT PAYMENT PLAN BYLAW 7/2024

monthly installments calculated so that the cumulative payments will pay, in full, the outstanding balance of the Current Taxes by December 31st of the current year.

- 6.2. Because each year's taxes are not levied until April, the payments for the first five months of the year are based off the prior year's tax amount, as described in the Tax Installment Payment Plan Application form.
 - (a) Once the current year's taxes are levied in April, the Director of Finance will calculate for each account the amount of the installment payment that will ensure that the account is paid in full by December 31, of the current year.
 - (b) This adjustment will be calculated in the month of May and be effective for the June 1st payment.
- 6.3. Occasionally items will be added to a property's tax roll which will require the Director of Finance to recalculate the payment amount. Should this occur, the Taxpayer will be advised, in writing of any change in the payment amount, not less than two weeks prior to the next payment date.
- 6.4. Changes in the amount of the payment shall be effective as the payment date specified in the notice of the change in payment sent by the Director of Finance to the Taxpayer.
- 6.5. The Taxpayer shall notify the Director of Finance, in writing, no less than fourteen (14) days in advance of the next payment date, if the Taxpayer wishes to change the bank account from which funds are to be transferred. Any notice of a change in bank account received less than fourteen (14) days in advance of the payment date shall be effective on the following payment date.
- 6.6. In the event that a duplicate payment of the Current Taxes is received by the Taxpayer and Mortgage Company, the payment shall be refunded to the Mortgage Company.
7. **Penalties and Charges**
 - 7.1. For the purposes of this Bylaw, the EFT Process will be deemed to have failed when the Taxpayer's bank notifies the MD that a fund transfer will not be processed.
 - 7.2. The Taxpayer shall pay a service charge to the MD, in an amount set by the Fees & Charges Bylaw, every time the EFT Process fails.
 - 7.3. Once a Tax Installment Payment Plan is no longer in good standing, the Taxpayer will be removed from the TIPPS program. Which means the account will become liable for balances which will become due and payable as per the MD's Tax Penalty and Tax Rate Bylaws.
8. **Termination of the Payment Plan**
 - 8.1. The Taxpayer's enrollment in the Payment Plan will be cancelled if the Payment Plan is no longer in good standing as defined in Section 7.3.
 - 8.2. Unless enrolment in the Payment Plan is cancelled by the Director of Finance, payments shall continue to be taken through the EFT Process unless and until the person or corporation from whose account the payments are taken notifies the Director of Finance, in writing, that the Payment Plan should be terminated. In such a case, the termination of the Payment Plan shall be effective fourteen (14) days after the Director of Finance receives written notification.
 - 8.3. Termination of a Payment Plan will result in Current Taxes being due and payable by the due date on

TAX INSTALLMENT PAYMENT PLAN BYLAW 7/2024

the Tax Notice or paid prior to the penalty dates approved in the Property Tax Penalty Bylaw.

9. Miscellaneous

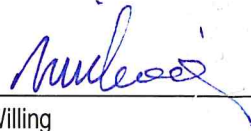
- 9.1. The Director of Finance is authorized to delegate any authority given to him/her under this Bylaw.
- 9.2. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.
- 9.3. This Bylaw shall come into force and take effect upon being passed.

First reading given on the 13th day of August, 2024.

Second reading given on the 13th day of August, 2024.

Given UNANIMOUS consent to go to third reading on the 13th day of August, 2024.

Third reading given on this 13th day of August, 2024.



Robert Willing
Reeve



Margaret McClarty
Chief Administrative Officer